

# **Bylaw No. 9455**

## **The Building Bylaw, 2017**

**Codified to Bylaw No. 9565  
(February 25, 2019)**

## BYLAW NO. 9455

### The Building Bylaw, 2017

The Council of The City of Saskatoon enacts:

#### Short Title

1. This Bylaw may be cited as *The Building Bylaw, 2017*.

#### Purpose

2. The purpose of this Bylaw is to enact municipal regulations regarding building, occupancy and demolition permits as provided for in *The Uniform Building and Accessibility Standards Act* and to provide for certain regulations governing the use of public spaces, construction standards for signs, legalizing existing suites and the numbering of sites and buildings.

#### Definitions

3. (1) In this Bylaw:
  - (a) “Act” means *The Uniform Building and Accessibility Standards Act*, as amended from time to time;
  - (b) “applicant” means the owner of a building or a property or an authorized representative of the owner who applies for a building permit;
  - (c) “architect” means a registered architect within the meaning of *The Architects Act, 1996*;
  - (d) “authorized” means authorized in writing;
  - (e) “City” means the City of Saskatoon;
  - (f) “Council” means the Council of the City of Saskatoon;

- (g) “engineer” means a professional engineer, as defined by *The Engineering and Geoscience Professionals Act*, and includes the holder of a certificate of authorization granted pursuant to section 22 of that Act;
  - (h) “ground orientated dwelling unit” means a building containing a dwelling unit or units with no dwelling unit located above another dwelling unit and with separate direct access to the exterior at ground level;
  - (i) “local authority” means the City of Saskatoon;
  - (j) “NBC” means *The National Building Code of Canada*;
  - (k) “occupancy permit” means a permit issued with respect to the use or occupancy of a building and includes an occupancy permit authorizing the occupancy of an existing dwelling unit under Part V;
  - (l) “owner” means any person, firm or corporation that owns the property under construction;
  - (m) “prescribed form” means a form prescribed by, and available from, the local authority;
  - (n) “public place” means a public road, street, sidewalk, bridge, highway, lane, square and other public place, or any portion thereof;
  - (o) “seasonal building” means a building that is used for not more than 6 months at a time on an annual basis and includes structures such as seasonal greenhouses and ice cream stands;
  - (p) “temporary building” means a building or structure placed on a site for a limited period of time and used in connection with construction work on a construction site;
  - (q) “underground storage tank” means a vessel for flammable liquids or combustible liquids having a capacity regulated by *The National Fire Code of Canada*, and designed to be installed in a fixed location underground; and
  - (r) “Zoning Bylaw” means the *Zoning Bylaw No. 8770* of the City of Saskatoon.
- (2) All definitions contained in the NBC and the *Act* shall apply in this Bylaw.
- (3) The schedules to this Bylaw form part of the Bylaw.

PART I  
**Administration**

**Designation and Appointment**

4. (1) For the purposes of this Bylaw and the NBC, the City hereby designates the Director of Building Standards Division and any person employed by the City in each of the following positions in the Building Standards Division to exercise the City's functions as the authority having jurisdiction:
  - (a) Building Inspection Manager;
  - (b) Senior Building Code Engineer;
  - (c) Building Code Engineer;
  - (d) Permit Supervisor;
  - (e) Senior Building Inspector;
  - (f) Commercial Building Inspector;
  - (g) Building Inspector;
  - (h) Customer Service Manager;
  - (i) Customer Service Supervisor; and
  - (j) Clerk Steno.
  
- (2) For the purposes of sections 2 and 5 of the *Act*, persons employed by the City in each of the following positions and holding a building official's license are hereby appointed as building officials:
  - (a) Director of Building Standards;
  - (b) Building Inspection Manager;
  - (c) Senior Building Code Engineer;
  - (d) Building Code Engineer;
  - (e) Permit Supervisor;
  - (f) Senior Building Inspector;

- (g) Commercial Building Inspector; and
- (h) Building Inspector.

### **Administrative Requirements**

- 5. The Administrative Requirements as identified for use with the NBC apply to construction within the City in accordance with the provisions thereof.

## **PART II Permits**

### **Requirement for a Permit**

- 6. (1) No owner shall:
  - (a) construct, erect, place, alter, repair, renovate, demolish, relocate, remove, use or occupy any building, including a seasonal building, or part thereof;
  - (b) install or remove an underground storage tank; or
  - (c) relocate any building on or onto a site or remove a building from a sitewithout a building permit issued pursuant to this Bylaw for the scope of the work.
- (2) A permit is not required for:
  - (a) repair or alteration of a building which, as determined by the local authority, will not create a hazard and where matters affecting health and safety are not involved;
  - (b) a single storey accessory building not more than 10 m<sup>2</sup> in building area provided it does not create a hazard and where matters affecting health and safety are not involved; or
  - (c) a temporary building.
- (3) A temporary building must be removed from a site immediately upon completion of the construction work on that site.

## **Permit Applications**

7. (1) An applicant for a permit shall file an application in the prescribed form.
- (2) In addition to the requirements contained in the NBC, every application shall:
  - (a) identify and describe details of the work, use and occupancy of the building to be covered by the permit; and
  - (b) be signed by the applicant.
- (3) An application for a permit will be accepted when all required information and documentation is supplied to the local authority.
- (4) Where, in order to expedite work, approval of a portion of the building is desired prior to the issuance of a permit for the entire project, an application together with plans and specifications covering the portion of the work for which immediate approval is desired, shall be filed with the local authority.
- (5) The local authority may destroy the building permit application and supporting documents 180 days following permit review if the required fee is not paid or information required to continue processing the application is not submitted.
- (6) Work under the scope of the building permit shall not commence until the prescribed fee is paid in full and the building permit has been issued.

## **Plans and Specifications**

8. (1) Every applicant shall submit plans, drawings, specifications, testing certificates, engineering reports and other information required by the local authority with each application.
- (2) Any documents submitted which are incomplete and do not form the basis of the building permit application or issued building permit may be destroyed by the local authority.
- (3) Plans submitted supporting cancelled applications will be destroyed following the cancellation.

### **Field Review of Engineered Life Safety Systems**

9. (1) An applicant who undertakes to construct or has constructed a building with engineered life safety systems designed within the scope of Part 3 of the NBC for fire protection and occupant safety, including mechanical, electrical and fire protection systems, shall have an architect or engineer complete:
  - (a) the design or design review of the systems;
  - (b) an inspection of the construction and installation of the systems to ensure compliance with the design; and
  - (c) the reviews required by the NBC.
- (2) An applicant shall ensure that copies of any inspection or review reports prepared pursuant to this section are made available to the local authority.

### **Revisions and Re-Examination**

10. (1) The local authority may accept an application to revise the construction for which a permit has been issued and approve or deny it.
- (2) If the revision is substantial, as determined by the local authority, a new building permit may be required. The appropriate fee will be charged for the new building permit in accordance with Schedule "A".

### **Valuation of Buildings for the Purpose of Permits**

11. (1) The construction value to be shown on a building permit shall be the total monetary worth of the construction, as submitted by the applicant and accepted by the local authority, and shall include:
  - (a) the cost of all painting, papering, roofing, electrical work, plumbing, permanent or fixed heating equipment, elevator equipment, fire sprinkler equipment and any permanent equipment that is constructed as part of the building;
  - (b) all labour costs, professional and other construction fees; and
  - (c) the cost of all materials and other devices necessary for the completion of the work.

- (2) No portion of any building, including mechanical, electrical and plumbing work, shall be excluded from the valuation for a building permit by reason of any other permit required by any legislation, regulation, bylaw or government agency.
- (3) In addition to the requirements of subsection (1), the construction value of a building permit in the case of the removal or relocation of a building to a new site shall include the cost of excavation at the new site, cleaning and leaving the former site in the condition specified in this Bylaw and the cost of alterations or repairs to the building.
- (4) The final determination of construction value shall be made by the local authority.

### **Fees**

12. (1) Permit fees payable shall be those set out in Schedule "A".
- (2) No permit shall be issued until the fees have been paid in full.
- (3) The owner is responsible for accurately reporting the construction value shown on the permit. Where the actual value of the project differs substantially from the projected value as shown on the permit, the following shall apply:
  - (a) where the actual value is less than the projected value, the excess permit fee may be refunded in accordance with the provisions of section 14; and
  - (b) where the actual value is greater than the projected value, the owner shall pay the additional amount of the permit fee to the local authority.
- (4) Where work for which a permit is required has commenced prior to the issuance of such permit, an additional fee shall be paid in an amount equal to 100% of the permit fee or \$10,000.00, whichever is less, but in no case shall the surcharge be less than the minimum building permit fee set out in Schedule "A".



### **Revocation and Cancellation**

13. (1) The local authority may revoke a building permit in accordance with section 19 of this Bylaw. A refund of the permit fee may be granted in accordance with Schedule "B".
- (2) The local authority may cancel a building permit upon the written request of the applicant provided that construction of the project authorized by the permit has not commenced.

### **Refunding Building Permit Fees**

14. (1) A request for a refund of a building permit fee shall be made in writing.
- (2) Refunds will be calculated in accordance with the provisions of Schedule "B" and are subject to the minimum refund administration fee set out in Schedule "A".
- (3) Refunds shall be made to the owner or to such other recipient as directed in writing by the owner.
- (4) Refunds shall not be granted if:
  - (a) the use, occupancy, relocation, removal, construction or demolition of the building which is the subject of the permit has commenced; or
  - (b) the permit fee was not paid in full in accordance with the provisions of Schedule "A".

### **Permit Issuance**

15. A building permit may be issued if the work described in the permit application and plans filed in support of the application are in accordance with the provisions of the *Act*, the NBC, this Bylaw and the *Zoning Bylaw*.

### **Refusal to Issue a Building Permit**

16. (1) A building permit may be refused to be issued:
  - (a) that would authorize any building work or occupancy which is not in accordance with the *Zoning Bylaw*;

- (b) that would authorize any building work or site work which has not been approved by any other City department where such approval is required;
  - (c) to any person who:
    - (i) has failed to obtain a building permit previously approved for a given site; or
    - (ii) has failed to pay any fee required pursuant to this Bylaw.
- (2) Reasons for refusal to grant a permit shall be provided upon request.

### **Permit Term and Extensions**

17. (1) A building permit expires:
- (a) for the construction of ground oriented dwelling units, 2 years after the date of issuance;
  - (b) for the demolition of ground oriented dwelling units, residential garages and other accessory buildings serving ground oriented dwelling units, 60 days after the date of issuance; and
  - (c) for other buildings:
    - (i) 2 years after the date of issuance; or
    - (ii) longer than 2 years subject to the approval of the local authority.
- (2) Notwithstanding the provisions of subsection (1), a building permit shall expire:
- (a) if work authorized by the permit has not commenced within 180 days of the date of issue of the permit and, in the opinion of the local authority, is not actively carried out thereafter; or
  - (b) if work authorized by the permit has commenced but is suspended or abandoned for a period of 180 days.
- (3) The local authority, in determining whether to consider a building permit expired, may take into consideration extenuating circumstances, including but not limited to:
- (a) unusually adverse weather;

- (b) broad labour availability shortages; or
  - (c) materials supply issues.
- (4) A local authority may extend a building permit if the permit has not been revoked.
- (5) A request for extension of a permit shall be in writing accompanied by the required extension fee, as set out in Schedule “A”, and shall contain a reasonable timeline for completion.

### **Reinstatement of a Permit**

18. An applicant may request reinstatement of a building permit which has been closed provided that:
- (a) no changes are made in the documents submitted with the application;
  - (b) a timeline for completion acceptable to the local authority is specified; and
  - (c) the reinstatement fee set out in Schedule “A” is paid.

### **Revocation of a Permit**

19. (1) A building permit may be revoked by the local authority if:
- (a) there is contravention of any condition under which the permit was issued;
  - (b) the permit was issued in error;
  - (c) the permit was issued on the basis of incorrect or false information;
  - (d) the work is being done contrary to the terms of the building permit; or
  - (e) written notification of a change in ownership of the site relating to the building permit is not provided to the local authority.
- (2) Reasons for the revocation of a permit shall be provided to the permit holder upon request.

### **Transfer of a Building Permit**

20. (1) An owner or previous owner may request the transfer of a building permit by filing an application for transfer in the prescribed form together with a copy of the most recent inspection report relating to the construction of the building, signed by the proposed transferee of the permit.
- (2) Transfer of a building permit does not constitute an extension of the permit.

### **Conditions of a Building Permit**

21. (1) The applicant shall post a sign on the construction site, visible from the street, clearly identifying the civic numbering and street name.
- (2) The applicant shall post the valid building permit and the site's general contractor's contact information in a conspicuous place visible from the exterior and publicly accessible.
- (3) Approved plans shall be located on site and produced upon request of the local authority.
- (4) The applicant shall be responsible for keeping the site in a clean and tidy condition and shall be required to provide containers or secure areas for waste material.
- (5) The applicant shall be responsible for the cost of repair and clean-up of any damage to City property that occurs as a result of the work covered by the permit. For the purpose of this subsection:
  - (a) "City property" includes all road allowances, trees, land and easements, with all works, utilities, structures, and appurtenances therein and thereon; and
  - (b) "damage" includes, but is not limited to, the placement, dropping or deposit of any dirt, debris, materials, objects or substances upon City property, excessive soil compaction or ruts caused by storage of materials or driving vehicles or equipment over the boulevard.

### **Demolition Building Permit Regulations**

22. (1) All demolition work shall be carried out in a safe and workmanlike manner in accordance with Occupational Health and Safety Regulations (Saskatchewan).

- (2) No person undertaking a demolition shall dispose of waste material from the demolition site except in a permitted landfill site.
- (3) All concrete slabs, footings and foundations shall be removed to a minimum of 300 mm below final grade.
- (4) Except when new construction is to proceed within 30 days of completion of the demolition, all excavations shall be filled to level grade.
- (5) Demolition work shall not be considered as complete until the demolition site is free of all debris.

### **Inspection Schedules**

23. (1) For buildings other than ground oriented dwelling units, inspections will be conducted at the discretion of the local authority.
- (2) For ground oriented dwelling units, inspections may be required as follows:
  - (a) footing inspection, after forms have been removed and granular fill has been placed;
  - (b) pre-backfill inspection, after removal of forms and application of exterior damp proofing, weeping tile and granular cover has been placed;
  - (c) framing/superstructure inspection, after completion of framing and sheathing, installation of all exterior doors, windows and roof membrane, including installation of flashing, fire stopping, bracing, blocking, chimney and duct work, rough wiring and plumbing and gas venting;
  - (d) vapour barrier inspection, after insulation and vapour barrier are placed but before they are concealed by any other work;
  - (e) pre-occupancy/final inspection, after the building is completely constructed and ready for occupancy but prior to actual occupancy; and
  - (f) at any other time the local authority considers an inspection to be necessary for the proper administration of the *Act*, the NBC or this Bylaw.

## **Amendments to NBC and Uniform Building and Accessibility Standards Regulations**

24. NBC and Uniform Building and Accessibility Standards Regulations are amended in the manner set forth in Schedule “C” of this Bylaw.

### **Occupancy Permit**

25. (1) An occupancy permit may be required prior to occupancy of a building or part thereof at the discretion of:
- (a) the local authority;
  - (b) the Fire Chief of the Saskatoon Fire Department; or
  - (c) the building owner.
- (2) Applications for an occupancy permit shall be made to the local authority in the prescribed form.
- (3) The occupancy application fee shall be in accordance with Schedule “A” of this Bylaw.

## **PART III**

### **Use of Public Place/Encroachments**

#### **Definitions**

26. In this Part:
- (a) “awning” means a retractable or fixed frame:
    - (i) canvas-like, non-rigid material affixed to a frame and attached to a building wall; or
    - (ii) rigid, multi-sided structure that is not structurally tied into the building;
  - (b) “canopy” means a rigid, multi-sided structure that is structurally tied into the building;
  - (c) “encroachment” means permanent building construction of any kind on, over, under or into the surface of any public place or part thereof and may include awnings, canopies, overhead passageways, viaducts, underground areas, coal chutes and ash hoists.

**General**

27. (1) Subject to subsection 28(1), the local authority shall not issue a permit for the construction or alteration of any building or structure the plans of which show an encroachment until approval of such encroachment is granted by the General Manager of Community Services.
- (2) Applications for approval of an encroachment, except for those encroachments mentioned in clauses 28(1)(a) and 28(1)(b), shall be made to the local authority in the prescribed form.
- (3) Subject to subsection 28(2), the encroachment application fee prescribed in Schedule "A" shall be paid at the time of application.
- (4) Encroachment agreements are required for encroachments approved by the General Manager of Community Services.
- (5) Neither the approval of an encroachment nor an encroachment agreement creates a vested right in the subject area. The local authority may at any time, at the owner's expense, order the removal of any encroachment, the filling in of any area and the replacement of pavement or sidewalk.
- (6) The temporary use of any public place, or part thereof, in connection with the construction, demolition or maintenance of any building or structure is subject to approval by the local authority and the local authority may at any time, at the owner's expense, order the removal of any such temporary use.

**Approval of Encroachments**

28. (1) The local authority may approve the following encroachments:
- (a) existing encroachments that were previously approved by Council or the General Manager of Community Services and that only require a transfer or assignment to new owners;
  - (b) encroachments of 300 mm or less;
  - (c) awnings that comply with section 29.
- (2) Subject to subsection 29(4), no encroachment application fee or encroachment annual fee shall be paid for the encroachments mentioned in subsection (1).
- (3) Subject to subsection 29(4), no encroachment agreements are required for the encroachments mentioned in clauses (1)(b) and (1)(c).

## Awnings

29. (1) This section applies to awnings that are encroachments.
- (2) The local authority shall not approve a proposed awning unless the plan is drawn in conformity with the following requirements:
- (a) awnings constructed with electric signs attached to or contained in the face or sides shall not exceed 900 mm in height;
  - (b) the maximum horizontal projection of an awning over a public street shall be 3000 mm, provided that no portion of the awning shall be located closer than 600 mm to the curb line, measured horizontally;
  - (c) the vertical distance from the sidewalk to:
    - (i) the lowest point of the awning shall be not less than 2600 mm; and
    - (ii) any soft fringes or valences shall be not less than 2400 mm;
  - (d) no part of an awning shall be more than 5000 mm above the sidewalk without the approval of the Fire Department;
  - (e) frames for awnings shall be of metal construction;
  - (f) no awning shall have a flat or dihedral roof.
- (3) Except as provided in subsection (4), awnings shall be subject to a one-time fee as set out in Schedule "A", to be paid at the time of application.
- (4) An encroachment agreement may be required for an awning at the discretion of the General Manager of Community Services. In such case, the encroachment application fee and encroachment annual fee shall apply as set out in Schedule "A".

## Canopies

30. (1) This section applies to canopies that are encroachments.
- (2) The General Manager of Community Services shall not approve a proposed canopy unless the plan is drawn in conformity with the following requirements:
- (a) canopies constructed with electric signs attached to or contained in the face or sides shall not exceed 900 mm in height;



- (b) the maximum horizontal projection of a canopy over a public street shall be 3000 mm, provided that no portion of the canopy shall be located closer than 600 mm to the curb line, measured horizontally;
- (c) the vertical distance from the sidewalk to the lowest point of the canopy shall be not less than 2600 mm;
- (d) the roof of the canopy shall drain toward the building into an outlet draining onto the owner's property or connected to a storm sewer below the frost level.

### **Overhead Passageways**

31. (1) This section applies to overhead passageways and viaducts that are encroachments.
- (2) The General Manager of Community Services shall not approve a proposed overhead passageway or viaduct unless the plan is drawn in conformity with the following requirements:
- (a) construction of steel, reinforced concrete or other non-combustible material;
  - (b) insertion of sufficient appliances to carry electric light, telephone or telegraph wires under or over the projections to the satisfaction of the local authority;
  - (c) lighting of the under clearance of the projection at night to the satisfaction of the local authority;
  - (d) minimum height above the level of the street or lane to the satisfaction of the local authority.
- (3) Buildings designated for business purposes on either side of a street or lane may be connected by an overhead passageway or viaduct and such construction shall comply with all terms and conditions the General Manager of Community Services may impose.

### **Underground Areas**

32. Any person utilizing the space under the surface of a public place adjacent to any building shall comply with *The Underground Encroachment and Sidewalk Safety Bylaw, 2012*.

### **Coal Chutes and Ash Hoists**

33. The local authority shall not issue a permit for the construction of coal chutes and ash hoists in a sidewalk, and no person shall reconstruct any existing coal chutes or ash hoists.

### **Maintenance**

34. (1) Every encroachment and every area, construction, hoarding, fencing, or structure on, under, or above a public place shall be kept in good repair by the owner of the property in connection with which such encroachment, construction, or structure exists.
- (2) Except as provided in subsection (3), no person shall write, paint, or place posters, papers or handbills on a hoarding or fencing, or in any way deface a hoarding or fencing.
- (3) The local authority may grant a permit to an applicant for the temporary use of hoarding for decorative, artistic, or informative purposes.

### **Encroachment Annual Fees**

35. Except where otherwise provided in this Part or at the discretion of the General Manager of Community Services, an encroachment annual fee, calculated in accordance with Schedule "A", shall be paid to the local authority.

## **PART IV Construction Standards for Signs**

### **Definitions**

36. In this Part:
- (a) "billboard" means a billboard as defined in *The Sign Regulations*;
  - (b) "digital sign" means a digital sign as defined in *The Sign Regulations*;
  - (c) "freestanding sign" means a freestanding sign as defined in *The Sign Regulations*;
  - (d) "sign" means a sign as defined in *The Sign Regulations*; and

- (e) "Sign Regulations" means *The Sign Regulations* attached as Appendix "A" to the *Zoning Bylaw*.

### **Overhanging Signs**

37. (1) The provisions of this section apply to signs which extend over any public place.
- (2) Signs must be side-guyed with 6.0 mm steel cable or its equivalent. Turn buckles or other approved means of adjustment must be incorporated in all wire cable supporting or bracing signs.
- (3) Side-guy supports must be fastened with expansion bolts or their equal in a solid brick wall or stone wall, by a machine screw in an iron front or by a lag screw in solid woodwork.
- (4) Bolts and screws must not be fastened to window frames.
- (5) Lag screws in solid woodwork must not be smaller than 6.0 mm in diameter and must enter such woodwork at least 7.5 cm.
- (6) Machine screws in an iron front shall not be less than 12.0 mm in diameter and must enter clear through the ironwork.
- (7) Expansion bolts must be at least 9.0 mm in diameter and shall enter brick or stone walls at least 6.5 mm.
- (8) Signs weighing less than 113 kg with less than 4.6 m<sup>2</sup> of face area on 1 side must have not less than 2 individual attachments to the building or supporting pole and a main support in the form of not less than a 9.0 mm steel cable or its equivalent attached to an expansion bolt or its equivalent extending at least 23.0 cm into the main wall of the building or bolted through the wall and provided with a steel plate and not on the inside of the wall. Wooden wedges may not be used to fix bolts.
- (9) Signs weighing 113 kg or more and signs with a face area on 1 side of 4.6 m<sup>2</sup> or more must be structurally designed by an engineer.

### **Roof Signs**

38. (1) The provisions of this section apply to roof signs.
- (2) Signs having a face area on 1 side exceeding 1.9 m<sup>2</sup> must be structurally designed by an engineer.
- (3) Frames of signs having a face area on 1 side of 1.9 m<sup>2</sup> or less must be bolted through the roof and through timber or other roof construction placed under the roof. The roof supporting system must be structurally adequate to support the sign and frame.

### **Freestanding Signs**

39. Freestanding signs having a face area on 1 side exceeding 1.9 m<sup>2</sup> must be structurally designed and endorsed by an engineer or must be designed in accordance with Freestanding Sign Charts as developed by an engineer.

### **Billboards and Digital Signs**

40. Billboards and digital signs must be structurally designed by an engineer.

### **All Signs**

41. All signs and billboards which are required to be designed by an engineer must be constructed and erected in accordance with the design specifications.

### **Electrified Signs**

42. (1) Electrified signs must have the sign weight and date of erection marked on the outside edge of the sign in such a manner as to be clearly readable from the ground.
- (2) Electrified signs must be of metal construction or approved non-combustible material.
- (3) A Saskatchewan Power Electrical Permit must be obtained in order to connect an electrified sign to an electrical power supply.
- (4) Illuminated signs or displays must be manufactured to meet the standards as described by a certified testing laboratory such as Canadian Standards Association (CSA), Underwriters Laboratories Canada (ULC) or equivalent.

## **Dangerous or Defective Signs and Billboards**

43. Any sign or billboard which is in a dangerous or defective condition as determined by the local authority, shall be immediately removed or repaired as the local authority may direct.

## **PART V Existing Secondary Suites and Second Dwelling Units**

### **Definitions**

44. In this Part:
- (a) “dwelling unit” means a dwelling unit as defined in the *Zoning Bylaw*;
  - (b) “existing dwelling unit” means a dwelling unit:
    - (i) that was constructed prior to January 1, 1999; and
    - (ii) that on the date an application is submitted for an occupancy permit it is used as a dwelling unit or where that use is discontinued, such discontinued use does not exceed 6 consecutive months;
  - (c) “plumbing code” means the code as defined in *The Plumbing Regulations (Saskatchewan)*; and
  - (d) “secondary suite” means secondary suite as defined in the *Zoning Bylaw*.

### **Application**

45. This Part applies to the following types of existing dwelling units:
- (a) a secondary suite; and
  - (b) a second dwelling unit added to a one unit dwelling.

### **Administration**

46. The Community Standards Division is responsible for the administration of the provisions of this Part V pursuant to *The Planning and Development Act, 2007*.

### Application of the NBC to Secondary Existing Dwelling Units

47. (1) This section sets out guidelines for applying the NBC to existing dwelling units to which this Part V applies.
- (2) Access to a dwelling unit must be gained without passage through a service room.
- (3) Each dwelling unit must be separated from another dwelling unit (walls and ceiling) by a fire separation having a fire-resistance rating of not less than 30 minutes.
- (4) Each service room must be separated from all adjacent areas by a fire separation having a fire-resistance rating of not less than 30 minutes (walls only) and must have a solid core door complete with a latch and closer.
- (5) An interior stairway used for the purpose of exiting a dwelling unit must be separated from the remainder of the building by a fire separation having a fire-resistance rating of not less than 30 minutes.
- (6) Doorways providing egress from a dwelling unit to an exit or a means of exit must be equipped with a door and frame having a fire-resistance rating of not less than 20 minutes. A 45 mm thick solid core door and 38 mm solid wood casings are acceptable. The door must be equipped with a latch and a closer.
- (7) The rise, run, and tread depth, width and head room of stairs forming part of an interior stairway used for the purpose of exiting a dwelling unit must reasonably conform to the NBC, and the stairs must have a handrail installed on at least 1 side.
- (8) Any exit corridor forming part of a means of egress from a dwelling unit must have a minimum ceiling height of 1.95 m. Projections or obstructions into an exit corridor must not reduce the ceiling height to less than 1.80 m.
- (9) Each room in a dwelling unit must have a minimum ceiling height of 1.95 m over not less than 75% of the room area. Projections or obstructions in a room must not reduce the ceiling height to less than 1.80 m.
- (10) Smoke alarms in the dwelling units must be installed by permanent connections to an electrical circuit and must be located, interconnected and maintained in accordance with the NBC.
- (11) A carbon monoxide detector must be installed in every service room.

- (12) Each dwelling unit must have at least 2 outside windows openable from the inside without the use of tools or special knowledge. Each bedroom in a dwelling unit must have at least 1 openable window. Windows must provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> and with no dimension less than 380 mm.
- (13) Each bathroom in a dwelling unit must have mechanical or natural ventilation.
- (14) Each bathroom in a dwelling unit must be fully enclosed and equipped with a door capable of being locked from the inside.
- (15) A separate source for fresh combustion air must be provided in every service room.

### **Equivalents**

- 48. The provisions of section 47 are not intended to limit the appropriate use of equivalents where it can be shown that the objectives of the NBC will be met, namely:
  - (a) the protection of the lives of the occupants in the event of fire;
  - (b) the structural sufficiency of the building; and
  - (c) the health of building occupants.

### **Application of Plumbing Code**

- 49. (1) Every existing dwelling unit to which this Part V applies shall be equipped with plumbing facilities as required in the NBC.
- (2) Every plumbing system shall be designed and installed in conformance with the *Plumbing Code*.

### **Occupancy Permits**

- 50. (1) An occupancy permit is required to allow the occupancy of any existing dwelling unit to which this Part V applies.
- (2) To obtain an occupancy permit, the applicant shall file an application in the prescribed form.

- (3) Every application shall:
  - (a) identify and describe the occupancy to be covered by the permit for which application is made;
  - (b) show the occupancy of all parts of the building;
  - (c) be accompanied by the required occupancy permit fee; and
  - (d) state the name, address and telephone number of the applicant.
- (4) If an existing dwelling unit to which this Part V applies conforms to the provisions of sections 47 and 49, the local authority shall issue an occupancy permit for the dwelling unit.
- (5) If an existing dwelling unit to which this Part V applies conforms to the provisions of section 47, but does not conform to section 49, the local authority may issue a qualified occupancy permit with a plumbing advisory for the dwelling unit provided:
  - (a) the deficiencies in the plumbing system do not constitute an unsafe condition; and
  - (b) the non-conformity consists of either:
    - (i) a failed pressure test; or
    - (ii) an undersized sewer line.
- (6) The local authority may refuse to issue an occupancy permit for an existing dwelling unit to which this Part V applies, if:
  - (a) the dwelling unit does not conform to the guidelines in section 47;
  - (b) the deficiencies in the plumbing system constitute an unsafe condition; or
  - (c) the dwelling unit does not comply with the requirements of the *Zoning Bylaw*.
- (7) The fee to be charged for the issuing of an occupancy permit for an existing dwelling unit, to which this Part V applies, shall be as set out in Schedule "D".



## **Offences**

51. No owner shall permit the occupancy of any existing dwelling unit to which this Part V applies, unless the owner has obtained an occupancy permit from the local authority.

## **PART VI Numbering of Sites and Buildings**

### **Number of Sites and Buildings**

52. (1) The local authority is hereby authorized to number, renumber, or alter the numbering of all sites and buildings of any kind, including those already numbered.
- (2) Upon the issuance of a building permit, the local authority shall designate the number or series of numbers corresponding to the site and building authorized by such permit.
- (3) The owner or occupant of a building shall cause the designated number or numbers to be at all times prominently displayed on the front of the building or structure so as to be clearly visible from the street.
- (4) The owner or occupant of a building with more than one dwelling unit or rental unit that has a separate exterior entrance door shall cause the building number or numbers of each unit to be prominently displayed on the front of the building or structure so as to be clearly visible from the street.
- (5) The owner or occupant of any building, other than a building containing 4 or less dwelling units, serviced by a rear lane or alley shall also cause the building number or numbers to be prominently displayed on or near the rear-most structural element of the building or structure so as to be clearly visible from the rear lane or alley.
- (6) Building numbers shall be of sufficient size and shall be placed so as to be clearly visible from the street, back lane or alley, as the case may be.
- (7) The owner or occupant of any site consisting of multiple buildings shall cause the building number or numbers to be prominently displayed near the entrance or entrances of the site so as to be clearly visible from the street.
- (8) The owner or occupant of a site or building shall ensure that the building number or numbers are not obscured by vegetation or any other matter.

- (9) If the owner or occupant of a site or building does not install the designated site or building numbers the local authority may serve notice on the owner or occupant requiring installation within 30 days of the date of service. Failure to comply with the notice to install may result in the imposition of a penalty in accordance with the provisions of Schedule "A".
- (10) The numbering of sites and buildings shall be as follows:
- (a) east and west from:
    - (i) Lorne Avenue;
    - (ii) Idylwyld Drive; and
    - (iii) Central Avenue;
  - (b) north and south from:
    - (i) 22<sup>nd</sup> Street;
    - (ii) Aird Street; and
    - (iii) College Drive, east of Circle Drive;
  - (c) east of the South Saskatchewan River:
    - (i) odd numbers on the north and east sides of the streets, avenues and other major arterials; and
    - (ii) even numbers on the south and west sides of the streets, avenues and other major arterials;
  - (d) west of the South Saskatchewan River:
    - (i) odd numbers on the south and west sides of the streets, avenues and other major arterials; and
    - (ii) even numbers on the north and east sides of the streets, avenues and other major arterials.

PART VII  
**Compliance and Offence**

**No Relief of Obligation to Comply with NBC**

53. (1) An owner of a building or an owner's contractor or employee or a previous owner is not relieved from the obligation to carry out any work that is within the scope of sections 7 and 10 of the *Act* in accordance with the NBC by reason only of:
- (a) the granting of a permit;
  - (b) the review of drawings and specifications;
  - (c) the making of inspections; or
  - (d) the absence or omission of any of the things mentioned in subsections (a) to (c).

**Offence**

54. Any person who contravenes this Bylaw is guilty of an offence pursuant to section 22 of the *Act* or section 338 of *The Cities Act*, as the case may be.
- (1) Every person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction:
- (a) Pursuant to section 22 of the *Act* for Part II of this Bylaw; and
  - (b) Pursuant to section 338 of *The Cities Act* for Parts III to VI of this Bylaw.

**Bylaw No. 7306 Repealed**

55. Bylaw No. 7306, *The Building Bylaw*, is repealed.

**Coming into Force**

56. This Bylaw comes into force upon receiving the approval of the Minister of Government Relations.

Read a first time this 23<sup>rd</sup> day of May, 2017.

Read a second time this 23<sup>rd</sup> day of May, 2017.

Read a third time and passed this 23<sup>rd</sup> day of May, 2017.

“Charlie Clark”

Mayor

“Joanne Sproule” “SEAL”

City Clerk

**APPROVED-IN-PART**

In accordance with Clause 23.1(3)(c) of  
The Uniform Building and Accessibility Standards Act

“William Hawkins”

Executive Director  
Building Standards and Licensing  
Ministry of Government Relations

June 22 / 2017

Date

## Schedule "A"

### Building Permit Fees

	2019	2020	2021	2022
<b><u>Residential Building Permit</u></b>				
Residential [one- and two-unit dwellings, townhomes, row houses, apartments (that fall under Part 9 of the National Building Code)]	\$0.80/ft <sup>2</sup>	\$0.90/ft <sup>2</sup>	\$0.99/ft <sup>2</sup>	\$1.01/ft <sup>2</sup>
Basement development or alterations of any floor area	\$0.27/ft <sup>2</sup>	\$0.31/ft <sup>2</sup>	\$0.34/ft <sup>2</sup>	\$0.35/ft <sup>2</sup>
Garage - attached or detached	\$0.24/ft <sup>2</sup>	\$0.27/ft <sup>2</sup>	\$0.30/ft <sup>2</sup>	\$0.30/ft <sup>2</sup>
Deck	\$0.11/ft <sup>2</sup>	\$0.12/ft <sup>2</sup>	\$0.13/ft <sup>2</sup>	\$0.13/ft <sup>2</sup>
Roof over deck or carports	\$0.11/ft <sup>2</sup>	\$0.12/ft <sup>2</sup>	\$0.13/ft <sup>2</sup>	\$0.13/ft <sup>2</sup>
<b><u>Apartments (New Construction Only) That Fall Under Part 9 of the National Building Code</u></b>				
All floor levels, including basement	\$0.80/ft <sup>2</sup>	\$0.90/ft <sup>2</sup>	\$0.99/ft <sup>2</sup>	\$1.01/ft <sup>2</sup>
Addition of decks and balconies to existing construction	\$0.11/ft <sup>2</sup>	\$0.12/ft <sup>2</sup>	\$0.13/ft <sup>2</sup>	\$0.13/ft <sup>2</sup>
Garage/accessory building (attached or detached)	\$0.24/ft <sup>2</sup>	\$0.27/ft <sup>2</sup>	\$0.30/ft <sup>2</sup>	\$0.30/ft <sup>2</sup>
<b><u>All Other Construction Not Noted Above</u></b>				
Cost per \$1,000 of construction	\$ 7.50	\$ 7.50	\$ 7.50	\$ 7.50
Construction and design plan review fee (new)	\$420.00	\$428.00	\$437.00	\$446.00
Water and sewer plan review fee (new)	\$620.00	\$632.00	\$645.00	\$658.00
Minimum permit fee	\$150.00	\$153.00	\$156.00	\$159.00
Re-inspection fee	\$150.00	\$153.00	\$156.00	\$159.00
Minimum permit reinstatement fee	\$150.00	\$153.00	\$156.00	\$159.00
Permit extension fee	\$150.00	\$153.00	\$156.00	\$159.00
Interim occupancy permit	\$800.00	\$816.00	\$832.00	\$849.00
Final occupancy permit	\$380.00	\$388.00	\$395.00	\$403.00

**Schedule "A"**  
(continued)

**Miscellaneous Service Fees**

Performance Bond for Moving a Building	\$ variable
Special Inspection	\$ 100.00
Returned Item Fee	\$ 20.00
Refund Administration Fee	\$ 300.00
Request for Change of Address	\$ 55.00
Improper address or failure to clearly address front of property facing street	\$ 100.00
Printing building permit drawings	\$ 2.50/page
Property Information Disclosure	\$ 20.00
Weekly Building Permit Report	\$ 140.00
Awning Encroachment One-Time Fee	\$ 150.00/awning
Encroachment Application Fee	\$ 100.00
Encroachment Annual Fees:	
Coal Chute or Ash Hoist	\$ 50.00 each
Canopy or s. 29(4) Awning	\$ 50.00 or \$1.60 per square meter or area, whichever is the greater
Above Grade Areas	\$ 50.00 or \$3.25 per square meter or area, whichever is the greater
Underground Areas	\$ 50.00 or \$3.25 per square meter or area, whichever is the greater
Overhead Passages and Viaducts	\$ 50.00 or \$2.00 per square meter or area, whichever is the greater

## **Schedule “B”**

### **Refund Schedule**

Refunds:

- Refund requests received and approved within 14 days of the permit issuance date, may receive a full refund of the building permit fee paid, subject to a minimum refund administration fee.
- Refund requests received and approved within six months of permit issue date, plus granted extensions, may receive a refund of up to 75% of the building permit fee paid, subject to a minimum refund administration fee.
- Refund requests received and approved after six months, but within two years of the permit issue date, plus granted extensions, may receive a refund of up to 50% of the building permit fee paid, subject to a minimum refund administration fee.

## Schedule “C”

### Amendments to the National Building Code of Canada and Uniform Building and Accessibility Standards Regulations

#### Landing

1. A landing is required at the top of an interior stair that serves the primary entrance to a dwelling unit.

#### Bedroom Window

2. A bedroom window opening shall maintain not less than 760 mm egress height to an open exterior space protected from fire exposure and having access to an open public thoroughfare.

#### Handrails

3. Handrail graspability is defined as either:
  - (a) Type I: Handrails with a circular cross section shall have an outside diameter of not less than 32 mm and not more than 50 mm. If the handrail is not circular, it shall have a perimeter dimension of not less than 100 mm and not more than 155 mm with a maximum cross-section dimension of 55 mm. Edges shall have a minimum radius of 0.25 mm; or
  - (b) Type II: Handrails with a perimeter greater than 155 mm shall provide a graspable finger recess area on both sides of the profile. The finger recess shall begin within a distance of 19 mm measured vertically from the tallest portion of the profile and achieve a depth of at least 8 mm within 22 mm below the widest portion of the profile. This required depth shall continue for at least 10 mm to a level that is not less than 45 mm below the tallest portion of the profile. The minimum width of the handrail above the recess shall be 32 mm to a maximum of 70 mm. Edges shall have a minimum radius of 0.25 mm.



### **Eaves troughs**

4. (1) Eave troughs shall be provided for Ground Orientated Dwelling Units and detached accessory buildings serving Ground Orientated Dwelling Units.
- (2) Downspouts shall be provided for all eave troughs.

### **Smoke Alarms**

5. (1) In a dwelling unit with a secondary suite, a smoke alarm is required in the house where no previous smoke alarm existed.
- (2) The smoke alarm described in subsection (1) is required to be wired so the activation of any one smoke alarm causes all smoke alarms in the secondary suite and the smoke alarm described in subsection (1) to sound.

### **Secondary Suite Exit Width**

6. Width of at least 860mm is required to be provided from the exterior exit door of the suite to an open public thoroughfare.

**Schedule "D"**

**Occupancy Permit Fees  
Existing Secondary Suites and Second Dwelling Units**

	<b><u>Fee</u></b>
Occupancy Permit Fee	\$1,750.00